

Message Text

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PAGE 01 MADRID 02727 021650Z

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ACTION SCSE-00

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FM AMEMBASSY MADRID

TO SECSTATE WASHDC PRIORITY 8773

UNCLAS MADRID 2727

SCS AND EUR/IB

E. O. 11652: N/A

TAGS: CASC SP (CANARY ISLAND SIX)

SUBJ: W/W

REF: STATE 89279

1. NOW THAT CANARY ISLANDS SIX FINALLY OUT OF SPAIN, EMBASSY HAS BEEN ABLE TO PIECE TOGETHER IMPORTANT POINTS OF EPISODE. SIX ARRESTED AT HOTEL BUENAVENTURE IN SAN AGUSTIN, GRAN CANARY ISLANDS, ON TUESDAY, APRIL 16 AS RESULT OF FORMAL COMPLAINT MADE BY HOTEL. COMPLAINT MADE BECAUSE OF ALLEGED DAMAGES TO HOTEL AND ABUSIVE AND DISORDERLY CONDUCT OVER TWO OR THREE DAY PERIOD. SIX HELD FOR APPROXIMATELY TWO DAYS THEN RELEASED ON PROVISIONAL LIBERTY WHILE COURT HELD PASSPORTS TO INSURE THEIR CONTINUED PRESENCE WITHIN COURT JURISDICTION UNTIL COURT DECIDED CASE OR BOND POSTED. NOTE THAT SIX PAID DAMAGES TO HOTEL AND HOTEL INFORMED COURT THAT IT WAS SATISFIED, HOWEVER, IN SPAIN ONLY COURT CAN MAKE FINAL DISPOSITION OF COMPLAINT THROUGH FORMAL PROCEDURES ONCE COMPLAINT IS LODGED.

2. SIX CONTACTED CON OFFICER IN LAS PALMAS AT COB ON APRIL 18 GIVING VERY INCOMPLETE STORY REGARDING EPISODE. CON OFFICER FINALLY LEARNED TRUE CIRCUMSTANCES THROUGH NUMEROUS CONVERSATIONS WITH SPANISH OFFICIALS CULMINATING IN TELEPHONIC CONTACT WITH CLERK OF COURT IN TOWN OF TELDE AT 21:00 HOURS ON FRIDAY, APRIL 19. CON OFFICER OFFERED NORMAL ASSISTANCE IN LOCATING ATTORNEY AND MADE PLANS TO CONTACT SIX AGAIN ON FOLLOWING DAY, SATURDAY. SIX CHOSE TO IGNORE CON OFFICER EXPLANATION OF SPANISH COURT PROCEDURES AND CHOSE NOT TO TALK WITH CON OFFICER ON SATURDAY. INSTEAD, SIX

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PAGE 02 MADRID 02727 021650Z

ATTEMPTED TO LEAVE CANARIES BY WAY OF AIRPORT WITHOUT PASSPORTS AND

CON OFFICER UNABLE TO CONTACT THEM. CON OFFICER DEPARTED CANARY ISLANDS SATURDAY EVENING AFTER COMPLETING SPECIAL TWO DAY TRIP FOR PROVIDING CONSULAR SERVICES TO THE AREA.

3. CON OFFICER REESTABLISHED CONTACT WITH SIX FROM MADRID ON MONDAY, APRIL 22, AT WHICH TIME INFORMATION REGARDING COMPETENT BI-LINGUAL ATTORNEYS WAS PROVIDED. ONCE ATTORNEY BEGAN WORK THE CASE PROCEEDED IN ACCORDANCE WITH NORMAL SPANISH JUDICIAL PROCESSES. JUDGE PROPOSED AMOUNT OF BOND, AGREEMENT OF TREASURY REPRESENTATIVE WAS OBTAINED IN LAS PALMAS, AND FINAL BOND AGREED UPON AND PAID DURING APPEARANCE BEFORE JUDGE IN TOWN OF TELDE ON APRIL 26. DURING THIS PERIOD OF FIVE DAYS EMBASSY IN FREQUENT CONTACT WITH ATTORNEY AND COURT TO ENCOURAGE EXPEDITING OF CASE. ATTORNEY INSTRUMENTAL IN GAINING REDUCTION IN AMOUNT OF BOND FROM 35,000 PESETAS PER PERSON TO 15,000 PESETAS PER PERSON. UPON PAYMENT OF BOND PASSPORTS RELEASED AND CANARY SIX DEPARTED SPANISH TERRITORY SATURDAY, APRIL 27. EMBASSY EXPERIENCE SHOWS CASE HANDLED EXPEDITIOUSLY BY SPANISH AUTHORITIES.

4. THREE POINTS IMPORTANT TO CANARY SIX CASE. (1) SIX GAVE INCOMPLETE INFORMATION TO CON OFFICER DURING INITIAL CONTACT AND CON OFFICER ABLE TO ASCERTAIN SEVERITY OF SITUATION ONLY AFTER MANY HOURS OF NUMEROUS CONVERSATIONS WITH SPANISH OFFICIALS LEADING WELL INTO NIGHT OF APRIL 19. 2) CANARY SIX FOUND IT DIFFICULT TO UNDERSTAND THAT THEY WERE TOTALLY UNDER JURISDICTION OF SPANISH LAW ENFORCEMENT AND JUDICIAL SYSTEM AND NOT THAT OF U.S. 3) CANARY SIX EVIDENTLY ASSUMED THAT AMERICAN EMBASSY POSSESSED POWER OR INFLUENCE TO DIRECTLY AFFECT SPANISH JUDICIAL PROCEDURES AND OUTCOME. SIX OBVIOUSLY HAD EXAGGERATED VIEW OF EMBASSY PROTECTION AND WELFARE CAPABILITIES.

5. COMPLETE OM CONCERNING CASE FOLLOWS.
CONGRESSWOMAN WYNDLER INTERESTED.
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